

# SB2106



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB2106**

Introduced 2/25/2005, by Sen. Chris Lauzen

**SYNOPSIS AS INTRODUCED:**

30 ILCS 500/45-10

Amends the Illinois Procurement Code. Requires a preference for Illinois resident bidders of 5% plus the amount of any resident bidder preference given by the state of a nonresident bidder (now, the amount of any preference given by the State of the nonresident bidder).

LRB094 11576 JAM 42590 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning procurement.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by  
5 changing Section 45-10 as follows:

6 (30 ILCS 500/45-10)

7 Sec. 45-10. Resident bidders.

8 (a) Amount of preference. When a contract is to be awarded  
9 to the lowest responsible bidder, a resident bidder shall be  
10 allowed a preference as against a non-resident bidder of 5%,  
11 plus the amount of any preference given or required for  
12 resident bidders by the state of a nonresident bidder if the  
13 nonresident bidder is from a state that gives or requires a  
14 preference for resident bidders from any state that gives or  
15 requires a preference to bidders from that state. The  
16 preference shall be equal to the preference given or required  
17 by the state of the non resident bidder. Further, if only  
18 non-resident bidders are bidding, the purchasing agency is  
19 within its right to specify that Illinois labor and  
20 manufacturing locations be used as a part of the manufacturing  
21 process, if applicable. This specification may be negotiated as  
22 part of the solicitation process.

23 (b) Residency. A resident bidder is a person authorized to  
24 transact business in this State and having a bona fide  
25 establishment for transacting business within this State where  
26 it was actually transacting business on the date when any bid  
27 for a public contract is first advertised or announced. A  
28 resident bidder includes a foreign corporation duly authorized  
29 to transact business in this State that has a bona fide  
30 establishment for transacting business within this State where  
31 it was actually transacting business on the date when any bid  
32 for a public contract is first advertised or announced.

1           (c) Federal funds. This Section does not apply to any  
2 contract for any project as to which federal funds are  
3 available for expenditure when its provisions may be in  
4 conflict with federal law or federal regulation.

5           (Source: P.A. 90-572, eff. date - See Sec. 99-5.)